

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

SCHÜLE et al.

Art Unit: 1633

Application No.: 10/561,902

Examiner: HIRIYANNA, Kelaginamane T.

Filing Date: December 21, 2005

Attorney Ref. No.: 033-004

For: MODULATION OF OSTEOBLAST
ACTIVITY OF FHL2

Confirmation No.: 5822

REQUEST FOR CONTINUED EXAMINATION (RCE) UNDER 37 CFR §1.114

Mail Stop RCE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 of the above-identified application. The following are submitted:

1. Submission required under 37 C.F.R. 1.114:
 - a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
 - i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
 - ii. ☒ Other Amendment and Response filed on July 23, 2009
 - b. ☐ Enclosed
 - i. ☐ Amendment/Reply
 - ii. ☐ Affidavit(s)/Declaration(s)
 - iii. ☐ Information Disclosure Statement
 - iv. ☐ Other
2. Miscellaneous
 - a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. 1.103(c) for a period of _____ months. (Periods of suspension shall not exceed 3 months. Fee under 37 C.F.R. 1.17(i) required).
 - b. ☐ Other
3. Fees – The RCE fee under 37 C.F.R §1.17(e) is required by 37 C.F.R. 1.114 when the RCE is filed.
 - a. ☒ Direct payment through EFS-RAM.
 - b. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments,

to Deposit Account No. _____.

- i. ☐ The RCE fee required under 37 C.F.R. §1.17(e)
- ii. ☐ Extension of time fee (37 C.F.R. 1.136 and 1.17)
- iii. ☐ Other
- c. ☐ Check in the amount of \$ _____ enclosed
- d. ☐ Payment by credit card (Form PTO-2038 enclosed)

Respectfully submitted,

By: /Shelly Guest Cermak/
Shelly Guest Cermak
Registration No. 39,571

U.S. P.T.O. Customer No. 36844
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Date: September 28, 2009